

REMARKS

Claims 11 - 14 and 20 - 35 are pending in the present application. Claims 11 and 13 have been amended. Claims 1 - 10 and 15 - 19 have been cancelled without prejudice. New claims 20 - 35 have been added.

The Examiner previously issued a restriction requirement asserting that there were three inventions in the present application:

- I. Claims 1 - 2 drawn to a label
- II. Claims 11 - 17 drawn to a method of concealing data
- III. Claims 18 - 19 drawn to a method of concealing data

Applicant elected Group II, claims 11 - 17 without traverse. The Office Action erroneously states that the election was made with traverse.

Claims 13 and 15 - 17 were rejected under 35 USC §112, second paragraph as being indefinite. Claim 13 has been amended to make clear that the further steps are substeps of the embedding step. Accordingly, claim 13 is not indefinite.

Claims 11 - 13 were rejected Claims 11 - 13 were provisionally rejected under the judicially created doctrine of obviousness type double patenting over copending application no. 10/689,941 (*Adams*) in view of US Patent No. 4891254 (*Bianco*) and US Patent No. 5686725 (*Maruyama*). Claim 11 has been amended to recite:

A method of concealing data comprising the steps of:
obtaining a carrier;
printing data on the carrier with magnetically doped-ink, and
embedding the carrier in a composite material.

Adams alone or in combination with *Bianco* or *Maruyama* does not teach or suggest a method of concealing data with all the limitations of independent claim 11. For example, the prior art of record does not teach or suggest a method in which the data is printed on the carrier using magnetically doped ink. *Bianco* teaches using visible markers or markers that can be read with infrared light. See, for example, *Bianco* at Col. 3, lines 4 - 12. *Maruyama* teaches using IR ink. See, for example, *Maruyama* at Col. 1, lines 27 - 30. Accordingly, applicant asserts that the provisional double patenting rejection should be withdrawn.

Claims 11 - 13 were rejected under 35 USC §103(a) as being obvious over *Bianco* in view of *Maruyama*. Independent claim 11 has been amended to recite:

A method of concealing data comprising the steps of:
obtaining a carrier;

printing data on the carrier with magnetically doped-ink, and embedding the carrier in a composite material.

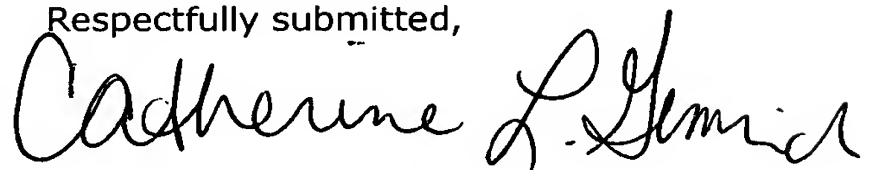
Bianco alone or in combination with *Maruyama* does not teach or suggest a method of concealing data with all the limitations of claim 11. For example, the prior art of record does not teach or suggest a method in which the data is printed on the carrier using magnetically doped ink. *Bianco* teaches using visible markers or markers that can be read with infrared light. See, for example, *Bianco* at Col. 3, lines 4 – 12. *Maruyama* teaches using IR ink. See, for example, *Maruyama* at Col. 1, lines 27 – 30. Thus, claim 11 is patentable. Claims 12 – 14 and 20 – 23 depend from claim 11 and are thus also patentable.

Claim 14 was rejected under 103(a) as being unpatentable over *Bianco* in view of *Maruyama* in further view of us Publication No. 2003/0217802 (*Taggart*). Claim 14 depends from independent claim 11 and thus has all the limitations of claim 11. As discussed above *Bianco* and *Maruyama* alone in combination do not teach or suggest a method of concealing data with all the limitations of claim 11. *Bianco* and *Maruyama* alone or in combination also fail to teach a method with all the limitations of claim 14. *Taggart* does not make up the deficiencies in *Bianco* and *Maruyama*. Thus, claim 14 is patentable.

CONCLUSION

Having obviated the Examiner's objections, applicant seeks an early indication of allowance.

Respectfully submitted,



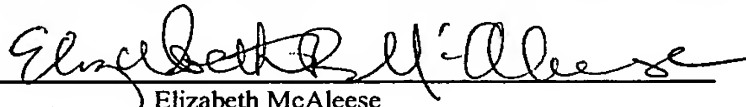
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